

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SYED RIZVI,

Petitioner,

Case No. 20-cv-1786-bhl

v.

RANDALL HEPP,

Respondent.

**ORDER DIRECTING PETITIONER TO SHOW CAUSE FOR HIS FAILURE TO FILE
A STATUS REPORT**

On December 2, 2020, Petitioner Syed Rizvi, a state prisoner currently incarcerated at Waupun Correctional Institution, filed a petition for habeas corpus pursuant to 28 U.S.C. §2254. (ECF No. 1.) Two days later, he filed a motion to stay proceedings while he exhausted his state court remedies. (ECF No. 3.) On July 20, 2021, the Court granted Rizvi's request. (ECF No. 6.) After a series of extensions, the Court ordered Rizvi to commence proceedings in state court by December 16, 2021. (ECF No. 14 at 3.) He complied. (ECF No. 15.) Since that time, the Court has requested, and Rizvi has provided, regular reports, updating the Court on the status of his exhaustion efforts. (ECF Nos. 16–37.) Most recently, on November 8, 2024, Rizvi filed a report indicating that briefing had commenced in his state court appeal. (ECF No. 37 at 3.) On November 12, 2024, the Court acknowledged its receipt of this status report and ordered Rizvi to provide another within the earlier of: (1) 120 days; or (2) 30 days from the date of any final resolution of his pending state-court proceedings. (ECF No. 38.) Although well over 120 days have elapsed, Rizvi has yet to file another report.

Accordingly, the Court will order Rizvi show cause in writing for his failure to file a timely status report. Within 14 days, Rizvi must file his overdue status report along with a written explanation for his failure to file the status report in a timely fashion. He should also indicate if he still wishes to proceed with this case. If he does not file a timely response to this Order, the

Court will construe his silence as abandonment and dismiss the case for failure to prosecute. *See Ball v. City of Chicago*, 2 F.3d 752, 755–56 (7th Cir. 1993).

IT IS HEREBY ORDERED that, on or before **June 3, 2025**, Rizvi must file a status report along with a written explanation for his failure to file that status report in a timely fashion. He should also indicate if he wishes to proceed with this case. Failure to comply with this Order will result in dismissal for failure to prosecute.

Dated at Milwaukee, Wisconsin on May 20, 2025.

s/ Brett H. Ludwig
BRETT H. LUDWIG
United States District Judge